

PATENT  
Attorney Docket No: PD-200201  
Customer No: 20991

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Andrew BARNHART  
Application No: 09/716,924  
Filed: November 20, 2000  
For: AVAILABLE BANDWIDTH CONTROL  
MECHANISM

Art Unit: 2665  
Examiner: Man PHAN

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**AMENDMENT TRANSMITTAL LETTER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

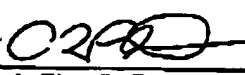
Transmitted herewith is an amendment in the above-identified application.

- ☐ Petition for Extension of time is attached hereto. If an additional extension of time is required, please consider this a petition therefor.
- ☐ An extension for \_\_\_ months(s) has already been secured; the fee paid therefor of is deducted from the total fee due for the total months of extension now requested.
- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.
- ☒ The fee for claims is calculated below.

	CLAIMS AS AMENDED					ADDITIONAL FEE
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE		
TOTAL CLAIMS	36 -	45 =	0 x	\$ 18.00 =		\$ 0.00
INDEPENDENT CLAIMS	19 -	4 =	15 x	\$ 88.00 =		\$ 1,320.00
MULTIPLE DEPENDENT CLAIMS			N (Y/N)	\$ 300.00 =		\$ 0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:						<b>\$ 1,320.00</b>

Please charge **\$1,320.00** to Deposit Account No. **50-0383**. Please charge any additional fees for claims or credit overpayment to Deposit Account No. 50-0383.

Respectfully submitted,

  
Craig L. Plastrik, Reg. No. 41,254  
Telephone: 301-601-7252  
Facsimile: 301-428-2802

12-1-2004

THE DIRECTV GROUP, INC.  
Customer No. 20991

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**REMARKS**

Claims 1-45 are pending in the present application.

Claims 5, 6, 25 and 39 are rejected under 35 U.S.C. § 112 for certain specified antecedent basis problems. In response, Applicant has amended the affected claims to correct the specified antecedent basis issues.

Claims 1-2, 13-14, 25-26 and 35-36 are rejected under 35 U.S.C. §103(a). In response, Applicant has canceled the rejected claims 1-2, 13-14, 25-26 and 35-36.

Claims 3-12, 15-24, 27-34 and 37-45 are objected to as being dependent upon a rejected base claim. In response, Applicant has amended claims 3-12, 15-24, 27-34 and 37-45 to be in independent form including all the limitations of the base claim and any intervening claims.

Applicants, therefore, respectfully submit that all pending claims are in condition for allowance and notice to this effect is respectfully requested.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If, however, the Examiner believes that there are any unresolved issues requiring adverse action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Craig Plastrik, at 301-601-7252, so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully Submitted,



Dated: 1 December 2004

Craig Plastrik  
Reg. No. 41,254

THE DIRECTV GROUP, INC.  
(formerly Hughes Electronics Corporation)  
Customer No. 20991